

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-293-C - ORDER NO. 2003-701
DECEMBER 4, 2003

IN RE: Savannah Valley Cablevision, Inc.,)	ORDER GRANTING
)	EXTENSION FOR
Complainant,)	FILING ANSWER
)	
vs.)	
)	
West Carolina Rural Telephone Cooperative,)	
Inc. and West Carolina Communications,)	
LLC,)	
)	
Respondents.)	
_____)	

This matter comes before the Public Service Commission of South Carolina (the "Commission") on the request of West Carolina Rural Telephone Cooperative, Inc. ("WCRTC") and West Carolina Communications, LLC ("WCC") (collectively "Respondents") for a one (1) day extension of time in which to answer the complaint of Savannah Valley Cablevision, Inc. ("SVC" or "Complainant"). Pursuant to Commission Regulations 103-837 and 103-841, the Respondents are required to file an answer with SVC and the Executive Director of the Commission within thirty (30) days after service of Notice and Complaint. The record reveals that the Respondents were duly noticed and served and that the Respondents answer to the allegations set forth in SVC's complaint was to be filed by November 17, 2003. This matter was addressed by the Commission at its regularly scheduled meeting on November 25, 2003.

On November 18, 2003, the Respondents' counsel filed correspondence advising the Commission that on Monday, November 17, 2003, at approximately 5:00 p.m. the Respondents' answer was electronically filed with the Commission and a copy forwarded to counsel for the Complainant. By his correspondence, counsel for the Respondents asserts that his secretary prepared packages of the Answer for transmittal to the Commission and to the Complainant's counsel via U.S. Mail and that the packages were placed in his firm's normal location for mail service pick-up by the firm's personnel. According to Respondent's counsel, the packages containing the Respondents' answer were not transported to the post office on the night of November 17, 2003, and that he was not made aware of this until the morning of November 18, 2003. At that time, he states that he notified the Commission Staff and the Complainant's counsel and informed them that the answer of WCRTC and WCC would be hand delivered that day. Respondents' counsel adds that counsel for the Complainant stated that he had received the electronic version of the answer and that he had no problem in the mailed version being delivered the morning of November 18, 2003.

As a supplement to the above-referenced correspondence of November 18, 2003, Respondents' counsel submitted additional correspondence on November 19, 2003, to clarify that his previous correspondence of November 18, 2003, was a request for a one (1) day extension

Upon consideration of the request of WCRTC and WCC to extend the due date for one (1) day to file their answer to SVC's complaint, the Commission finds and concludes that the request should be granted. The Commission discerns no prejudice to

any party in granting the requested extension in this matter since no objections were expressed by the parties to the requested extension. Accordingly, we approve and grant WCRTC and WCC's request for the one (1) day extension of time. Under this extension, WCRTC and WCC shall file and serve their answer to SVC's complaint on November 18, 2003. We note that the Respondents' answer was received by the Commission on November 18, 2003.

IT IS THEREFORE ORDERED:

1. That the request of WCRTC and WCC for a one (1) day extension to file their answer on the complaint of SVC is granted.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Bruce F. Duke, Acting Executive Director

(SEAL)